

1 Keith M. Gregory, Bar No. 117837
2 kgregory@swlaw.com
3 Aliya L. Astaphan, Bar No. 340162
4 aastaphan@swlaw.com
5 SNELL & WILMER L.L.P.
6 350 South Grand Avenue,
7 Suite 3100
8 City National 2CAL
9 Los Angeles, California 90071
10 Telephone: 213.929.2500
11 Facsimile: 213.929.2525

7 John J. Dabney (*pro hac vice*)
jdabney@swlaw.com
8 Morgan R. Povinelli (*pro hac vice*)
mpovinelli@swlaw.com
9 SNELL & WILMER L.L.P.
10 2001 K St. N.W., Suite 425 North
Washington, D.C. 20006
11 Telephone: 202.908.4261
Facsimile: 202.688.2201

12 Attorneys for Plaintiffs and Counter-
13 Defendants DEMICOM, INC. and AUTEC
14 POWER, INC., and for Third-Party Defendant
MOSHE COHEN (incorrectly spelled
“COCHEN” in the Counterclaim)

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

18 DEMICOM, INC., a California corporation;
19 AUTEC POWER, INC., a California
corporation,

20 Plaintiff,

v.

22 VENCIENT BARNES, an individual; JOHN
23 DUAH, an individual; and MARK BOOTH, an
individual; AUTEC POWER, INC., a Texas
corporation

Defendants.

AUTEC POWER, INC., a Texas corporation,

Counterclaimant,

v.

Case No. 2:23-cv-09273-MRA-JPR

**DECLARATION OF KEITH M.
GREGORY IN SUPPORT OF
PLAINTIFFS' MOTION FOR
ATTORNEYS' FEES**

1 DEMICOM, INC., a California corporation;
2 AUTEC POWER, INC., a California
corporation,

3 Counter-Defendants,

4 and

5 MOSHE COCHEN, an individual,

6 Third-Party Defendant.

7
8 I, Keith M. Gregory, hereby declare, affirm, and state the following:

9 1. I am over the age of 18 and am competent to testify in this matter.

10 2. I am a partner in the law firm Snell & Wilmer L.L.P. and am counsel
11 for Plaintiffs Demicom, Inc. and Autec Power, Inc. and Third-Party Defendant
12 Moshe Cohen (collectively, "Plaintiffs") in this matter.

13 3. I have personal knowledge of the facts set forth in this Declaration and,
14 if called to testify as a witness, I can and will testify to these facts in a court of law.

15 4. John J. Dabney is a partner at Snell & Wilmer L.L.P. and has been a
16 member of the District of Columbia Bar since January 6, 2003. Prior to that, he was
17 a member of the New York Bar beginning in 1997. He is admitted to practice before
18 the Court in this case *pro hac vice*. Mr. Dabney has obtained numerous accolades and
19 recognition for his work as a trademark litigation attorney, including consistently
20 being ranked as a top trademark litigator in the country by The Best Lawyers in
21 America® (2016-2024), Washington, DC Super Lawyers® (2013-2024), and World
22 Trademark Review 1000 (2011-2024), among others. Mr. Dabney's hourly rate is
23 \$895.00. Mr. Dabney uses a lower hourly rate in this proceeding of \$795.00. In
24 connection with Plaintiffs' Motion to Compel, Mr. Dabney billed 41.2 hours,
25 amounting to \$32,753.55. In connection with this motion for attorneys' fees, Mr.
26 Dabney billed approximately 5 hours, amounting to \$3,975.

27 5. I am a partner at Snell & Wilmer L.L.P. and the Co-Chair of the
28 commercial litigation group in California. I have been a member of the California

SNELL & WILMER
L.L.P.

LAW OFFICES
SUITE 3100
CITY NATIONAL 2 CAL
LOS ANGELES, CALIFORNIA 90071

1 Bar since June 11, 1985. I have obtained numerous accolades and recognition for my
2 work as a commercial litigation attorney, including consistently being ranked as a
3 top commercial litigator in the country by The Best Lawyers in America® (2022-
4 2025) and receiving the Legal Visionary Award by the Los Angeles Times B2B
5 Business of Law Magazine (2022), among others. My hourly rate is \$825.00. I use a
6 lower hourly rate in this proceeding of \$795.00. In connection with Plaintiffs' Motion
7 to Compel, I billed 7 hours, amounting to \$5,565.00. In connection with this motion
8 for attorneys' fees, I billed approximately 1 hour, amounting to \$795.00.

9 6. Morgan R. Povinelli is an associate at Snell & Wilmer L.L.P. and has
10 been a member of the District of Columbia Bar since November 10, 2022. She is
11 admitted to practice before the Court in this case *pro hac vice*. Ms. Povinelli is a
12 member of the firm's intellectual property group. Ms. Povinelli obtained her J.D.
13 from The George Washington University Law School, where she graduated with
14 Honors in 2022. Ms. Povinelli's hourly rate is \$450.00, which is also the rate she uses
15 in this proceeding. In connection with Plaintiffs' Motion to Compel, Ms. Povinelli
16 billed 62.4 hours, amounting to \$28,080.00. In connection with this motion for
17 attorneys' fees, Ms. Povinelli billed approximately 15 hours, amounting to
18 \$6,750.00.

19 7. Attached hereto as Exhibit A is a true and correct specific breakdown
20 of Snell & Wilmer's hours expended and billed to obtain compliance with Plaintiffs'
21 discovery requests. These entries were pulled directly from Snell & Wilmer's
22 invoices and future invoices to Plaintiffs.

23 8. I anticipate that Snell and Wilmer will bill approximately 10 hours
24 preparing a reply, if Defendant timely opposes this Motion, at a blended hourly rate
25 of \$680, and totaling an additional \$6800.00 for preparing its reply.

26 9. Based on my experience practicing and being a leader in commercial
27 litigation in Los Angeles for over 35 years, I am very familiar with the hourly rates
28 for attorneys in Southern California. The above hourly billing rates are reasonable

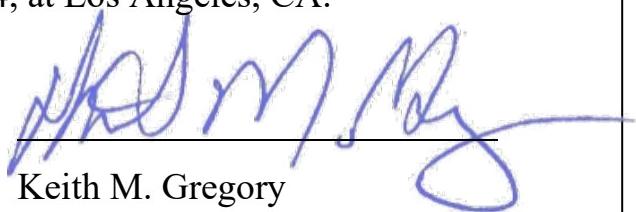
SNELL & WILMER
L.L.P.
LAW OFFICES
SUITE 3100
CITY NATIONAL 2 CAL
LOS ANGELES, CALIFORNIA 90071

1 within the prevailing market rate for commercial and intellectual property litigation
2 attorneys in the Los Angeles region.

3 10. The hours expended to obtain compliance from Defendant Autec Power,
4 Inc. with Plaintiffs' discovery requests, including preparing Plaintiffs' Motion to
5 Compel and supporting documents and Plaintiffs' Reply to Defendant's untimely
6 Opposition, as well as the time spent attempting to meet and confer with Defendant
7 on its deficient discovery responses, revising Plaintiffs' joint stipulation on its
8 Motion to Compel into a regularly noticed motion due to Defendant's failure to
9 provide its portion, and drafting a reply to Defendant's response to the Court's Order
10 to Show Cause to correct numerous false statements therein, were necessary.

11
12 I declare under penalty of perjury under the laws of the United States of
13 America that the foregoing is true and correct.

14
15 Executed on November 8, 2024, at Los Angeles, CA.



16
17
18 Keith M. Gregory

19
20
21
22
23
24
25
26
27
28